

Message Text

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ACTION DLOS-05

INFO OCT-01 EUR-12 IO-10 ISO-00 COA-01 CG-00 CIAE-00

DODE-00 PM-03 H-01 INR-05 L-02 NSAE-00 NSC-05 PA-01

RSC-01 PRS-01 SP-02 SS-15 USIA-06 ACDA-05 AEC-05

AGR-05 EB-07 COME-00 DOTE-00 FMC-01 INT-05 JUSE-00

OMB-01 OES-03 NSF-01 CEQ-01 TRSE-00 OIC-02 AF-04

ARA-06 EA-06 NEA-06 EPA-01 /130 W

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R 211822Z NOV 74

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 5918

INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 15284

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: LONDON GROUP OF 17/MEETING

1. SUMMARY. US TEAM LED BY MOORE MET WITH GROUP OF 17 MARITIME STATES NOV. 18-20 TO DISCUSS MAINLY VESSEL POLLUTION ISSUES IN LOS NEGOTIATIONS AND BRIEFLY OTHER LOS ENVIRONMENTAL ISSUES. DISCUSSION CENTERED ON NEW UK DRAFT ARTICLES AND FINAL DRAFT FROM GROUP OF 17 DISCUSSIONS IN CARACAS. GROUP AGREED TO MEET AGAIN IN LONDON FEB 24-26, AND UK, IN COLLABORATION WITH US WILL DO REDRAFT OF PRESENT ARTICLES AS WELL AS A SET OF PROPOSED ARTICLES FOR CO-SPONSORSHIP. END SUMMARY.

2. US REP JOHN NORTON MOORE AND MARINE POLLUTION TEAM MET WITH GROUP OF 17 MARITIME STATES FOR 2-1/2 DAYS OF DISCUSSIONS ON MARINE POLLUTION ISSUES. GROUP DISCUSSIONS CENTERED ON NEW INFORMAL UK REDRAFT OF ARTICLES CIRCULATED A FEW DAYS PRIOR TO MEETING AND ON FINAL DRAFT
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GROUP OF 17 ARTICLES FROM CARACAS.

3. DEVELOPMENTS INCLUDED FOLLOWING. SOME DISAGREEMENT EMERGED CONCERNING INTERPRETATION OF OBLIGATION TO ENSURE COMPLIANCE WITH INTERNATIONAL STANDARDS WITH UK, FRANCE AND A FEW OTHERS ARGUING AGAINST BEING BOUND BY ANY STANDARDS THEY HAD NOT SPECIFICALLY RATIFIED.

4. DISCUSSION OF PORT STATE ENFORCEMENT PRODUCED SIGNIFICANT SUPPORT FOR A NUMBER OF RESTRICTIONS INCLUDING ACTION LIMITED TO VIOLATIONS CAUSING OR THREATENING DAMAGE TO PORT STATE; LIMITATION TO VIOLATIONS IN PORT STATE'S ECONOMIC ZONE UNLESS SPECIFICALLY REQUESTED OTHERWISE BY AN AFFECTED STATE; FLAG STATE PRE-EMPTION OF PROSECUTION, ETC.

5. COASTAL STATE ENFORCEMENT DISCUSSION INDICATED WIDE RANGE OF VIEWS WITH USSR AND SOME OTHERS SUPPORTING COASTAL RIGHT TO SEEK INFORMATION AS IN US DRAFT ARTICLES, SOME SUCH AS FRG SUPPORTING BOARDING AND INSPECTION AND OTHERS SUCH AS FRANCE AND JAPAN FAVORING ARREST POWER. AREA LIMITATIONS INCLUDED 25 MILES, 50 MILES AND REQUIREMENT OF DAMAGE OR THREAT OF DAMAGE WITH SOME SUPPORTING NO AREA LIMITS FOR SUCH ACTIONS AS RADIO REQUESTS.

6. NO DISCUSSION OF NATIONAL STANDARD-SETTING TOOK PLACE EXCEPT TO NOTE AGREEMENT ON OPPOSITION TO COASTAL STATE STANDARDS BEYOND TERRITORIAL SEA.

7. SPECIAL AREA ITEM LED OFF BY ITALY WHICH PUSHED ITS CARACAS PROPOSAL REQUIRING ADHERENCE TO IMCO 1973 CONVENTION SPECIAL AREAS. SOME OTHERS SUPPORTED THIS APPROACH AS MAXIMUM WHILE SWEDEN AND DENMARK SUPPORTED SWEDISH PROPOSAL WITH RIGHT FOR HIGHER DISCHARGE STANDARDS BY COASTAL STATES.

8. BRIEF DISCUSSION OF DOUBLE STANDARDS INDICATED SOME THOUGHT OF COMPROMISING ON LAND-BASED POLLUTION AND COM-

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PLETE UNITY AGAINST DOUBLE STANDARD ON VESSEL SOURCE
POLLUTION. APPROACH OF PARIS CONVENTION ALSO MENTIONED
BY A NUMBER OF STATES.

9. UK AGREED TO DO REDRAFT BASED ON DISCUSSION AND TO
PREPARE SUGGESTED DRAFT ARTICLES FOR POSSIBLE COSPONSOR-
SHIP. UK AGREED TO COORDINATE WITH US IF GROUP AGREED.
NEXT MEETING WILL BE HELD IN LONDON ON MONDAY, TUESDAY
AND WEDNESDAY, FEB 24-26 AFTER EVENSEN GROUP MEETING IN
NEW YORK. PURPOSE OF MEETING WILL BE TO FOCUS ON POS-
SIBLE DRAFT ARTICLES FOR GROUP INTRODUCTION IN GENEVA.

10. COMMENT: DISCUSSION INDICATED GROUP OF 17 MARITIME
STATES ARE MAINTAINING FAIR DEGREE OF COHESIVENESS AS
ALTERNATE BLOC TO COASTAL STATE ZONAL ADVOCATES. MOOD OF
MEETING WAS MORE CONSERVATIVE ON MARINE POLLUTION ISSUE
THAN PREVIOUS MEETINGS AND IF ANYTHING GROUP SEEMED
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INCLINED TO WORK MORE CLOSELY TOGETHER THAN PREVIOUSLY.
EXAMPLE OF MOOD WAS WIDELY SUPPORTED SUGGESTION BY U.K.
CHAIRMAN AND POLISH REP THAT THOUGH THEY OPPOSED ZONAL
APPROACH TO ENFORCEMENT, ANY PROPOSAL ALONG THOSE LINES,
SUCH AS FRENCH OR JAPANESE PROPOSALS, SHOULD BE RESTRICT-
ED TO AN AREA OF 25-50 MILES MAXIMUMS. PROBLEM OF GROUP
CONTINUES TO BE OBTAINING SUPPORT FOR US APPROACH FOR
STRONG PORT STATE ENFORCEMENT. US REP MOORE URGED SUP-
PORT FOR US PORT STATE APPROACH AND PRIVATELY BOTH THE
UK AND THE USSR SEEMED TO INDICATE SOME MOVEMENT IN THIS

DIRECTION BUT WITH A MAXIMUM LIMITATION OF 200 MILES
FROM THE PORT STATE FOR LOCATIONS OF VIOLATIONS WHICH
WOULD GIVE JURISDICTION. US ALSO HAD PROBLEM WITH POORLY
DRAFTED UK ARTICLES BUT HAS RECEIVED PLEDGE OF JOINT WORK
ON ARTICLES BEFORE FUTURE DISTRIBUTION.

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